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3 BILL NO. S-78-04- 33

4 SPECIAL ORDINANCE NO. S- 80-78

5 AN ORDINANCE approving a Supplemental
6 Sanitary Sewer Treatment Agreement be-
7 between the City of Fort Wayne and the
City of New Haven.

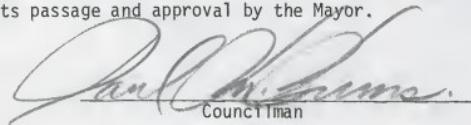
8 NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
9 OF FORT WAYNE, INDIANA:

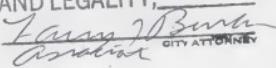
10 SECTION 1. That the Agreement dated July 21, 1977, between the
11 City of Fort Wayne, by and through its Mayor and the Board of Public
12 Works and the City of New Haven, for:

13 Supplemental sanitary sewer treatment service to the
14 City of New Haven in compliance with certain orders
of the Stream Pollution Control Board of the State
15 of Indiana,

16 all according to the rules and regulations approved by the Stream Pollution
17 Control Board of the State of Indiana and Fort Wayne City Council,
18 all as more particularly set forth in said contract which is on file in
19 the Office of the Board of Public Works and is by reference incorporated
20 herein, made a part hereof and is hereby in all things ratified, con-
21 firmed and approved.

22 SECTION 2. That this Ordinance shall be in full force and
23 effect from and after its passage and approval by the Mayor.

24 
25 Councillor
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34 APPROVED AS TO FORM
35 AND LEGALITY,

36 Associate
37 CITY ATTORNEY

Read the first time in full and on motion by Burns, seconded by

Hunter, and duly adopted, read the second time by title and referred to the Committee on City Utilities (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock M.,E.S.T.

DATE: 4-25-78

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Burns, seconded by V. Schmidt, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

| | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> | <u>TO-WIT:</u> |
|--------------------|-------------|-------------|------------------|---------------|----------------|
| <u>TOTAL VOTES</u> | <u>9</u> | | | | |
| <u>BURNS</u> | <u>✓</u> | | | | |
| <u>HINGA</u> | <u>✓</u> | | | | |
| <u>HUNTER</u> | <u>✓</u> | | | | |
| <u>MOSES</u> | <u>✓</u> | | | | |
| <u>NUCKOLS</u> | <u>✓</u> | | | | |
| <u>SCHMIDT, D.</u> | <u>✓</u> | | | | |
| <u>SCHMIDT, V.</u> | <u>✓</u> | | | | |
| <u>STIER</u> | <u>✓</u> | | | | |
| <u>TALARICO</u> | <u>✓</u> | | | | |

DATE: 5/23/78

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE
(RESOLUTION) No. J-80-78 on the 23rd day of May, 1978.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th
day of May, 1978 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 26th day of May, 1978,
at the hour of 11:00 o'clock A.M., E.S.T.

Robert E. Schumacher
MAYOR

[Handwritten signatures]

Bill No. S-78-04-33

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance
approving a Supplemental Sanitary Sewer Treatment Agreement between the
City of Fort Wayne and the City of New Haven

[A series of approximately 15 blank horizontal lines for signatures.]

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

PAUL M. BURNS - CHAIRMAN

JAMES S. STIER - VICE CHAIRMAN

VIVIAN G. SCHMIDT

WINFIELD C. MOSES, JR.

FREDRICK R. HUNTER

[Handwritten signatures]

CONCURRED IN

DATE 5/23/78

CITY CLERK

Supplemental Sanitary Sewage Treatment Agreement

This Supplemental Agreement modifies a certain Sanitary Sewage Treatment Agreement (hereafter "Agreement") by and between the City of Fort Wayne, Indiana, a municipal corporation of the State of Indiana (hereafter "Contractor"), and the City of New Haven, Indiana, a municipal corporation of the State of Indiana (hereafter "Contractee"),

WITNESSTH THAT:

WHEREAS, Contractor and Contractee have heretofore entered into an Agreement, dated July 21, 1977, whereby Contractor has agreed to treat and dispose of sanitary wastes delivered to it by Contractee subject to terms and conditions of said Agreement; and

WHEREAS, Contractee desires to accelerate the starting date of the Agreement to provide for Treatment of wastes from MEADOWBROOK ADDITION by Contractor and thereby effect compliance with certain orders of the Stream Pollution Control Board of Indiana now pending in respect of Contractee;

NOW, THEREFORE Contractor agrees to provide Contractee with sewage treatment service in advance of the starting date heretofore specified in the Agreement subject to following additional terms and conditions:

1. Effective Date

The effective date provisions of the Agreement dated the 21st day of July, 1977, between the City of Fort Wayne and the City of New Haven are hereby modified, and it is now mutually agreed that the effective date shall commence when the existing sanitary sewer lift station located on the Southeast corner of Adams Center Road and U.S. 30 East is tied directly into the sanitary sewer system of the City of Fort Wayne, and, after a metering device is installed in the sanitary sewer system which will receive and record the sewage directed from Meadowbrook Addition area of the "Service Area" of the City of New Haven as set forth in the Agreement.

2. Cost of Recording Device

The City of New Haven will pay the City of Fort Wayne for its cost incurred in the purchase and installation cost of a Standard Stevens "F" Recorder Metering Device by the City of Fort Wayne, said cost estimated to be approximately Five Hundred Dollars (\$500.00). The future maintenance and operation of said meter shall be the sole responsibility of the City of Fort Wayne.

3. Interconnection

The City of New Haven will pay for the cost to direct its flow of sanitary sewage, essentially from Meadowbrook Addition, into the sanitary sewer system of the City of Fort Wayne. The City of New Haven will either sever or plug its sanitary sewer system in such a manner, satisfactory to the City of Fort Wayne, which will insure that no sanitary sewage flow from the Meadowbrook Addition will be transmitted to the City of New Haven's sewage plant for treatment.

4. Sewer System Evaluation Study

The City of New Haven shall pay for the cost of the Sewer System Evaluation Study and any resulting system rehabilitation for all sewer lines belonging to the City of New Haven that convey sewage to the connection with the City of Fort Wayne sewer system.

5. Charges for Sewage Service

Charges for sewage treatment services rendered hereunder payable by Contractee to Contractor from the date of commencement of service shall be as follows, subject to, however, to all future rate changes enacted by the Common Council of the City of Fort Wayne pursuant to notice and public hearing as prescribed by law:

| <u>Service Charge Component</u> | <u>Charge per 100 cu. ft. of measured sewage flow</u> |
|---------------------------------|---|
| Treatment | 19.10 cents |
| Capital | 11.80 cents |
| Conveyance | .33 cents |
| | <u>31.23 cents</u> |

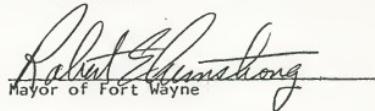
This Supplemental Sanitary Sewage Treatment Agreement has been duly approved and executed by the parties on the dates set forth hereafter.

ATTEST:


Henry J. Weisberg
Chairman, Board of Public Works

Dated: April 14 1978

CITY OF FORT WAYNE
"Contractor"


Robert G. Hunsberger
Mayor of Fort Wayne

ATTEST:


Helen L. Purvis
City Clerk - Treasurer

Dated: April 11 1978

CITY OF NEW HAVEN
"Contractee"


Marvin D. Brown
Mayor of New Haven

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY

STATE BOARD OF TAX COMMISSIONERS
201 State Office Building
Indianapolis 46204
June 27, 1978

TAXING UNIT: Allen County
City of Fort Wayne
DATE AND TIME OF HEARING July 10, 1978 10:00 a.m.
PLACE OF HEARING: Allen City County Building



Dear Sir:

Please be advised that a hearing on the Additional Appropriation for the above captioned taxing unit will be held at the place and on the date and time set out above.

If you have not already furnished the following items, please have the same available for our Field Representative:

1. Proof of publication of notice to taxpayers.
2. Certified copy of appropriation ordinance or resolution.
3. Auditor's certificate of filing.
4. Fund ledger and financial records of appropriations and disbursements.

PLEASE BRING TO HEARING:

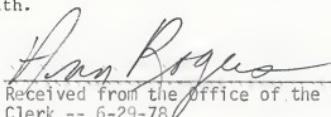
1. The completed financial statement (enclosed).
2. A copy of your current year budget as approved by the State Board of Tax Commissioners.
3. A copy of any contracts involving the appropriation.
4. The project number and project approval letter (if taxing unit is a school corporation).

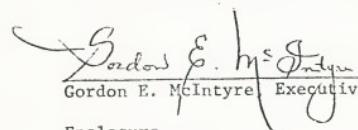
Upon receipt of our Field Representative's report, we will advise you of our action on this matter.

Final approval of appropriations will not be issued until the above requests have been complied with.

Sincerely,

STATE BOARD OF TAX COMMISSIONERS


Received from the office of the City
Clerk -- 6-29-78


Gordon E. McIntyre, Executive Secretary

Enclosure

SBTC 12-19-74

BY THE STATE BOARD OF TAX COMMISSIONERS
Hearing # IN CONNECTION WITH ADDITIONAL APPROPRIATIONS

This questionnaire MUST BE COMPLETED by the proper official of the governmental unit requesting the appropriations and be ready for the Tax Board representative at the time of the hearing.

DATE _____ COUNTY _____

NAME OF UNIT REQUESTING APPROVAL _____

SOURCE OF MONEY

| Name of Fund | Amount Requested | By Reductions in Appropriations | From Other Sources |
|--------------|------------------|---------------------------------|--------------------|
| _____ | \$ _____ | _____ | _____ |
| _____ | \$ _____ | _____ | _____ |
| _____ | \$ _____ | _____ | _____ |

1. If money for this appropriation to be derived from borrowing, a complete transcript of the proceedings must be submitted at the time of the hearing.
2. If money not available from surplus funds or reductions, do you expect to transfer funds from another source? Yes No . If so, from what source(s)? Has money already been transferred and included below? Yes No .

Complete financial statement for each fund from which additional appropriations are requested. Use separate column for each.

NAME OF FUND

| | |
|---|-----|
| A. Cash Balance, Jan. 1st this year. . . | A. |
| B-1 Receipts from Taxes-June. | B-1 |
| B-2 Receipts from Taxes-December. . . . | B-2 |
| C-1 Miscellaneous Receipts to date. . . . | C-1 |
| C-2 Miscellaneous Receipts expected to be received balance of this year. . . | C-2 |
| D. Total Monies available for this year (Add Lines A,B-1,B-2,C-1 & C-2) . . | D. |
| E. Total ORIGINAL Budget for this year | E. |
| F. Appropriations brought forward from preceding year to cover outstanding encumbrances. | F. |
| G. Additional Appropriations allowed since Jan. 1st LESS any Reductions allowed since Jan. 1st (Not including this request) | G. |
| H. Total Appropriations to date (Add Lines E, F and G) | H. |
| I. Amount of Potential Balance, Dec. 31 (Subtract Line H from Line D) . . | I. |
| J. Operating Balance (Line I) allowed when Budget for this year was approved. | J. |
| K. Surplus funds available (Subtract Line J from Line I) | K. |

AFTER JULY 1, COMPLETE THE FOLLOWING:

| | |
|--|----|
| L. Amount included on Line 3 of Published Budget for next year. . . | L. |
| M. Appropriations allowed since July 1 not including Request | M. |

Note: If more than 3 funds are involved in request, attach a separate sheet.

DATE _____ SIGNATURE _____
Project # _____ TITLE _____

Government Officials present at hearing:

Name _____ Title _____
Name _____ Title _____

Objectors present at hearing (attach list if necessary):

Name _____ Title _____
YES NO

1. _____ Proofs of publication and/or posting enclosed
2. _____ Publication procedure correct and timely
3. _____ Auditor's Certificate enclosed
4. _____ Votes of appropriating body
 Members on appropriating body.
5. _____ Copy of ordinance or resolution enclosed
6. _____ Money is available:
 from _____
7. _____ If money to be borrowed, is transcript enclosed?
8. _____ Financial reports made for each fund from which
 money requested.
9. _____ Unit has statutory authority to make appropriation
10. _____ Contract with
 and in proper form.

| Fund | Amount | Reduction | Recommendation |
|-------|----------|-----------|-------------------|
| | \$ | | Approve Deny Hold |
| _____ | \$ _____ | _____ | _____ |
| _____ | \$ _____ | _____ | _____ |
| _____ | \$ _____ | _____ | _____ |

Per ordinance/resolution (circle one) adopted _____
(Date)

REMARKS:

IF PROCEDURAL ERRORS OCCURRED, DID YOU ADVISE PROPER OFFICIAL OF CORRECT
PROCEDURE: _____

Date of Hearing _____ Conducted by _____
(Field Representative)



City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Mayor Robert E. Armstrong

Date 5-10-78

From Charles W. Westerman - City Clerk

Subject Appearance before Common Council - 5-16-78

COPIES TO:

BILL NO. S-78-04-33

AN ORDINANCE approving A Supplemental Sanitary Sewer Treatment Agreement between the City of Fort Wayne and the City of New Haven

Pursuant to the request of the Standing Committee Chairman of City Utilities of the Common Council, the presence of Henry P. Wehrenberg - Chairman of the Board of Public Works, is respectfully requested on May 16, 1978, 7:30 P.M., Room 128, Common Council Conference Room.

More information is requested regarding the supplemental sanitary sewer treatment service to the City of New Haven in compliance with certain orders of the Stream Pollution Control Board of the State of Indiana.

Your cooperation will be greatly appreciated.

*Reid 5/10/78
D.R.R.*

TITLE OF ORDINANCE SPECIAL ORDINANCE - SUPPLEMENTAL SEWER TREATMENT AGREEMENT WITH CITY OF NEW HAVEN

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

S-78-04-33

SYNOPSIS OF ORDINANCE SUPPLEMENTAL SANITARY SEWER TREATMENT AGREEMENT BETWEEN CITY OF FORT

WAYNE AND CITY OF NEW HAVEN FOR SEWAGE TREATMENT SERVICE TO CITY OF NEW HAVEN IN COMPLIANCE

WITH CERTAIN ORDERS OF THE STREAM POLLUTION CONTROL BOARD OF STATE OF INDIANA.

SUPPLEMENTAL AGREEMENT IS ATTACHED HERETO

EFFECT OF PASSAGE SEWAGE TREATMENT SERVICE TO CITY OF NEW HAVEN

EFFECT OF NON-PASSAGE NON-COMPLIANCE WITH ORDER OF STREAM POLLUTION CONTROL BOARD OF STATE
OF INDIANA

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) MONIES TO BE PAID TO CITY OF FORT WAYNE
BY CITY OF NEW HAVEN

ASSIGNED TO COMMITTEE

EP

City Utilities